

THE URBAN LAW FIRM

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Counsel for Plaintiffs Laborers Joint Trust Funds

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BOARD OF TRUSTEES OF THE
CONSTRUCTION INDUSTRY AND
LABORERS HEALTH AND WELFARE
TRUST; THE BOARD OF TRUSTEES OF
THE CONSTRUCTION INDUSTRY AND
LABORERS JOINT PENSION TRUST;
THE BOARD OF TRUSTEES OF THE
CONSTRUCTION INDUSTRY AND
LABORERS VACATION TRUST; THE
BOARD OF TRUSTEES OF SOUTHERN
NEVADA LABORERS LOCAL 872
TRAINING TRUST,

Plaintiffs,

vs.

ALSTON CONSTRUCTION COMPANY,
INC., a California corporation; KIEWIT
INFRASTRUCTURE WEST CO., a
Delaware corporation; ARIA RESORT &
CASINO, LLC, a Nevada limited liability
company; MGM RESORTS
INTERNATIONAL, a Nevada corporation;
BELLAGIO, LLC, a Nevada limited liability
company; and KENNETH M. MERCURIO,
an individual,

Defendants.

CASE NO: 2:18-CV-00416-APG-GWF

**STIPULATION FOR DISMISSAL
OF DEFENDANT KIEWIT
INFRASTRUCTURE WEST CO. WITH
PREJUDICE AND ORDER THEREON**

IT IS HEREBY STIPULATED AND AGREED by and among Plaintiffs, The Board of
Trustees of the Construction Industry and Laborers Health and Welfare Trust; The Board of
Trustees of The Construction Industry and Laborers Joint Pension Trust; The Board of Trustees of
the Construction Industry and Laborers Vacation Trust; The Board of Trustees of Southern

1 Nevada Laborers Local 872 Training Trust (“Plaintiffs”), by and through their counsel of record,
2 The Urban Law Firm, and Defendant, Kiewit Infrastructure West Co., a Delaware corporation, by
3 and through its counsels of record, Bauman Loewe Witt & Maxell and Seyfarth Shaw LLP, and
4 subject to the approval and Order of the Court, as follows:

- 5 1. A resolution of the above-entitled action has been entered into and agreed to by the
6 Plaintiffs and Defendant Kiewit Infrastructure West Co. only.
- 7 2. Each side will bear their own attorney’s fees and costs.
- 8 3. Plaintiffs and Defendant request dismissal of Kiewit Infrastructure West Co. with
9 prejudice.

10 Dated: October 23, 2018

Dated: October 23, 2018

11 **THE URBAN LAW FIRM**

BAUMAN LOEWE WITT & MAXELL

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13 By: /s/ Nathan R. Ring
14 Nathan R. Ring, Nevada State Bar No. 12078
15 *Counsel for Plaintiffs Laborers Trust Funds*

By: /s/ Michael C. Mills
Michael C. Mills, Nevada Bar No. 3534
Counsel for Defendant Kiewit
Infrastructure West Co.

16 **SEYFARTH SHAW LLP**

17 By: /s/ Ronald Kramer
18 Ronald Kramer, Esq.
19 (admitted pro hac vice)
20 *Counsel for Defendant Kiewit*
21 *Infrastructure West Co.*

22 **ORDER**

23 IT IS HEREBY ORDERED that Defendant Kiewit Infrastructure West Co. is dismissed
24 from the above-entitled case with prejudice. Each side to bear their own attorney’s fees and costs.

25
26 Dated: October 25, 2018.


UNITED STATES DISTRICT JUDGE